

U.S.A. vs ELIAS CARDENAS-RINCON

No. 08CR1741-W

The Court finds excludable delay, under the section indicated by check (), commenced on 6/11/08 and ended on 6/30/08; (X7, XT1)
and ended on _____ ()

3161(h)

 (1) (A) Exam or hrg for **mental or physical incapacity** A

 (1) (B) **NARA examination** (28:2902) B

 (1) (D) State or Federal trials or **other charges pending** C

 (1) (E) **Interlocutory appeals** D

 (1) (F) **Pretrial motions** (from flg to hrg or other prompt dispo) E

 (1) (G) **Transfers from other district** (per FRCrP 20, 21 & 40) F

 (1) (J) **Proceedings under advisement** not to exceed thirty days G

 Misc proc: Parole or prob rev, deportation, **extradition** H

 (1) (H) **Transportation** from another district or to/from examination or hospitalization in ten days or less 6

X (1) (I) Consideration by Court of **proposed plea agreement** 7

 (2) **Prosecution deferred** by mutual agreement I

 (3) (A) (B) **Unavailability of defendant or essential witness** M

 (4) Period of **mental or physical incompetence** of defendant to stand trial N

 (5) Period of **NARA commitment or treatment** O

 (6) **Superseding indictment and/or new charges** P

 (7) **Defendant awaiting trial of co-defendant** when no severance has been granted R

 (8) (A) (B) **Continuances** granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance T

 (8) (B) (I) 1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. (Continuance - **miscarriage of justice**) T1

X 2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. (Continuance - **tendered a guilty plea**)

 (8) (B) (ii) 2) **Case unusual or complex** T2

 (8) (B) (iii) 3) **Indictment following arrest cannot be filed** in thirty (30) days T3

 (8) (B) (iv) 4) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare (Continuance re **counsel**) T4

 3161(I) Time up to **withdrawal of guilty plea** U

 3161(b) **Grand jury indictment time extended** thirty (30) more days W

Date 6/11/08

NJS
Judge's Initials